

TOWN OF NEWSTEAD - PLANNING BOARD MINUTES

April 5, 2004

PRESENT: Tom Cowan, Chair
Mark Decker
Terry Janicz
John Potera
Don Hoefler
Rebecca Baker, Zoning Officer
Christine Falkowski, Planning Board Clerk

The meeting was called to order by Tom Cowan at 7:30 PM.

OLD BUSINESS

Route 5 /Overlay Zone/Moratorium on Used Auto Dealers/Design Criteria

The next meeting of the Steering Committee meeting will be held on April 22nd at 8AM. John reiterated that he would like to see the high-end professional type buildings closer to Rt. 93 & Main rather than coming out of Clarence Hollow. Low-end retail along with used car sales would create high traffic flow, which we should avoid.

Minutes Review

John motioned to approve the minutes of March 22, 2004, seconded by Terry and all approved.

Terry asked the Board to consider Rich Belotta occupying a small space at Victor Motors instead of the trailer next to Victor. He will advise Rich to put this in writing to the Planning Board.

Flaglots/Open Development

Where in town?	Anywhere except in floodplain, wetlands, or where no public water. Existing substandard frontage only? Don't want flaglots to be purposely created.
Minimum width at ROW?	30 – 60'; perhaps 150' of frontage per home on access road
How many homes?	Three? Depends on lot size?
Single family only?	Yes. Three parcels or less on one driveway/access road.
Minimum width/driveway material?	per Fire Company/Highway Dept. stipulations
Require site plan?	Yes
Maintenance agreements?	Don will check into this.
Commercial zones?	

NEW BUSINESS

Tom stated that Newstead will host an informational meeting on Ag Districts on Monday, April 19th at 7PM. The Planning Board will attend this meeting and then hold the regular Planning Board Meeting. Will Nathan still be able to meet with us on the sign ordinance, or will he be attending the Ag District meeting?

Tom distributed a proposed site plan for Akron Housing, 174 patio homes at Hake and Clarence Center Roads in the Village of Akron. It will be a three stage building process.

Fence/Wall Ordinance

Becky stated that John Wideman, who lives on Hunts Corners Road and has a very long driveway, applied for a permit to build a driveway marker on each side of his driveway 27' from the edge of the road. These markers would actually be three-tiered brick walls approximately 6' wide and 4' tall at the highest point. Code allows 3' tall in the front yard. Nathan determined that the ordinance intent was to ensure line of sight, and that we may wish to consider changing it as long as the fence/wall is no closer than 30' within the ROW. Becky sent a memo to the Town Board to this effect, and she was advised to direct the Planning Board to work on this. What did the guy on Rt. 93 do? Mr. Wideman is willing to wait if the ordinance will be changed, rather than pay \$125 to apply for a variance and possibly be denied. Andy sent in his comment to leave the ordinance alone. Tom stated that if Mr. Wideman is planning this project for the summer, he should attempt the variance. Changing an ordinance takes considerable time.

Outdoor Clam Stand at 11986 Main Road (The Dog House) – no show

NEW BUSINESS (Con't)

Preliminary Conference – Minor Subdivision – Maple Road - Pannella

Aaron Handzlik, his mother, and Stefan Pannella attended the meeting. Mr. Pannella owns 81.4 acres on Maple Road near Tonawanda Creek Road. The property had a house at one time, which burned down. The remains have fallen into the foundation and need to be cleaned up. Mr. Pannella will apply for subdivision approval to split off 23 acres to sell to Mr. Handzlik. Mr. Handzlik plans to live in a small space in the back of the existing garage prior to building a home eventually. The existing foundation of the previous home may or may not be used for a new home. Once the debris is cleared, the Building Inspector must make this determination. Also, this property is in the floodzone. Building in the floodplain requires a floodplain development permit, however, basements are not permitted. The first floor elevation must be 2' above floodplain. Ottney & Miller will contact the Building Inspector for direction on a benchmark for conducting the survey.

Mr. Handzlik plans to have a home occupation raising frogs and geckos in terrariums. He operates this business currently from his mother's house and has approximately 1,000 frogs/geckos. There are no retail sales, but he does occasionally give tours to Boy Scouts, etc. He sells to science museums, etc. via shipping. Mr. Handzlik has contacted the Erie County Health Dept. the DEC and DOT for requirements and foresees no problems. If he puts up a sign, he will need a sign permit. No site plan will be required, as this will be a home occupation. Mr. Pannella will acquire a survey for the 23-acre piece and apply for subdivision approval at an upcoming Planning Board Meeting.

Next meeting: Monday, April 19, 2004

Mark motioned to adjourn the meeting at 9:00 PM, seconded by Terry and all approved.

Respectfully submitted,
Christine Falkowski, Recording Secretary